

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 05-06-14**

Date Published: June 9, 2005
For Work Week Commencing: June 13, 2005
Commission Meeting: June 14, 2005, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.state.mt.us>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. Central Montana Communications N2005.6.92 (Scott)

On May 31, 2005, Central Montana Communications (CMC) filed Tariff Changes to Local Network Access Line Service and Service Bundles. These changes include added provision allowing subscribers living on tribal land, clarification that residential business rates apply to farm and ranch locations, decrease the monthly recurring rate for the platinum bundle by \$5 per month, and add Always in Touch bundle. Probable motion: Approve CMC Tariff Changes to Local Network Access Line Service and Service Bundles in Docket N2005.6.92.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2005.3.36, D2005.3.37, D2005.3.38, D2005.3.39, D2005.3.40, D2005.3.41, D2005.3.42 – Qwest, Metropolitan Telecommunications, Prime Time Ventures, VCI Company, eAcceleration Corp., PiperTel Communications, Vycera Communications, Lightyear Network Solutions – Interconnection agreements and amendments – Discuss and act on the agreements and other matters as necessary. (6/14/05)
2. NorthWestern Energy Bankruptcy – Placeholder to report on and get direction on any matter related to the bankruptcy. (6/14/05)
3. D2005.4.48 – Havre Pipeline Company – Application to Unbundle Service, Reclassify Assets and Increase Rates – Discuss and act on Havre Pipeline Company's Motion for Protective Order. (6/14/05)
4. Update on Grid West and other western activities and schedule – Primarily informational, although may want to provide additional direction to staff. (6/14/05)
5. Governor's Award for Excellence in Performance 2005 – Discuss Commission's nominee(s) for 2005 Governor's Award. (6/14/05)
6. **6/17/05 9:00 a.m.** - Ronan Telephone Company– Litigation of PSC orders – Decide whether to grant RTC's request for a meeting with the Commission to present a settlement proposal of litigation now in the 9th Circuit (Commission Conference Room). (6/17/05)

Other Meetings

6/14/05 1:30 p.m. - MITS Informational Meeting (Bollinger Room)

6/16/05 9:00 a.m. – Bill Smith, OMS Director – Update on Organization of MISO States (Commission Conference Room)

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action

items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. 3 Rivers Telephone Cooperative, Inc. N2005.5.90 (Gary)

On March 31, 2005 3 Rivers filed a Petition for Commission Notice of Action on 3 Rivers' Petition with the Federal Communications Commission (FCC) for LATA Boundary Modification. 3 Rivers intends to file a petition with the FCC requesting to move their Big Sky exchange from the eastern Montana LATA to the western Montana LATA. Currently Big Sky long distance and EAS calls are routed over a Qwest microwave system. This system also serves Qwest customers in West Yellowstone and Gardiner and other Yellowstone Park exchanges. This radio system is near capacity and is manufacturer discontinued which makes it very difficult to add additional capacity. 3 Rivers wishes to remove all but its EAS traffic from the Qwest system and route the long distance traffic over 3 Rivers fiber trunks to their access tandem in Ennis. This will relieve the capacity problems on the Qwest radio system and also allow 3 Rivers to provide additional T-1 and other services to Big Sky that they are not currently able to provide. 3 Rivers is petitioning this Commission to issue a Notice of Commission Action in support of their FCC petition.

2. Qwest Services Corporation N2005.6.93 (Kim)

On June 2, 2005 Qwest filed for Commission approval a Master Service Agreement (MSA) between Qwest and Piper Jaffray & Company. This filing was submitted pursuant to *Section 2.18 - Volume and Term Discounts to Large Business Customers with a Multi-State Presence* of Qwest's Exchange and Network Services Tariffs. The MSA is the result of a competitive bidding process to provide Integrated Services Digital Network Primary Rate Service (ISDN PRS) services.

3. Qwest Communications N2005.6.94 (Scott)

On June 2, 2005, Qwest filed Tariff Transmittal 05-12 Tribal Lifeline. This filing changes the eligibility requirements for Lifeline service to agree with the FCC requirements.

4. CenturyTel of Montana N2005.6.95 (Scott)

On June 3, 2005, CenturyTel filed Tariff Transmittal 05-01 Tribal Lifeline. This filing changes the eligibility requirements for Lifeline service to agree with the FCC requirements.

5. NorthWestern Energy D2005.5.84 (Will)

On May 20, 2005, NorthWestern Energy filed to adjust the BPA Residential Exchange Credit for residential and irrigation customers, pursuant to a tracking mechanism approved by the Commission in 2002. The rate credit amount is derived from the amount of monetary benefits NWE receives on behalf of its residential and small farm customer from the Bonneville Power Administration under the terms of a settlement of the Residential Exchange provisions of the Northwest Power Act. The proposed adjustment would increase the credit from the current (\$0.001362)/kwh to (\$0.001550)/kwh.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person interested in seeking a copy of a protective order request should contact the Commission at 406-444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008.

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2005.6.93 – Qwest Corporation – Master Service Agreement between Qwest Corporation and Piper Jaffray & Co.

N2005.6.94 – Qwest Corporation - Tariff Transmittal 05-12 – Tribal Lifeline (New Qualification)

N2005.6.95 – CenturyTel – Tariff Changes to the Eligibility Requirements for Enhanced Lifeline Service to Agree with FCC Requirements

N2005.6.96 – NorthWestern Energy – Petition for Amendment of Administrative Rules of Montana (A.R.M.) Sections 38.2.5001, 38.2.5023, and 38.2.5024

D2005.6.97 – PSC Initiated Complaint – Crystal Lakes – Status as Utility